



JAN 06 2009

Docket No.: 049480-0065

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 20277  
Jack C. RAINS, Jr., et al. : Confirmation Number: 9364  
Application No.: 10/555,094 : Group Art Unit: 2875  
Filed: November 02, 2005 : Examiner: A. Ton  
For: PRECISE REPEATABLE SETTING OF COLOR CHARACTERISTICS FOR  
LIGHTING APPLICATIONS

**REQUEST TO APPLY PREVIOUSLY PAID ISSUE FEE**

Mail Stop **ISSUE FEE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant is in receipt of the Decision Granting Petition Under 37 CFR 1.313(c)(2), dated October 8, 2008, in connection with the above-identified application and respectfully requests that the Issue Fee paid on September 15, 2008, be applied to the attached new Issue Fee Transmittal..

A copy of the Decision is attached.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

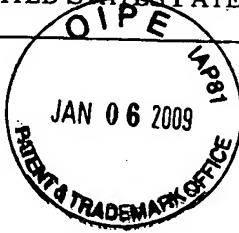
Keith E. George  
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600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 KEG:kh  
Facsimile: 202.756.8087  
**Date: January 6, 2009**

**Please recognize our Customer No. 20277  
as our correspondence address.**



## UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

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600 13TH STREET, N.W.  
WASHINGTON, DC 20005-3096

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OCT 08 2008

In re Application of  
RAINS JR, et al.  
Application No. 10/555,094  
Filed: November 2, 2005  
Attorney Docket No. 049480-0065

**OFFICE OF PETITIONS**

DECISION GRANTING PETITION  
UNDER 37 CFR 1.313(c)(2)

This is a decision on the petition under 37 CFR 1.313(c)(2), filed October 7, 2008, to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

*Petitioner is advised that the issue fee paid on September 15, 2008 cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.*

Telephone inquiries should be directed to the undersigned at (571) 272-7253.

This application is being referred to Technology Center AU 2875 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the concurrently filed information disclosure statement.

Monica A. Graves  
Petitions Examiner  
Office of Petitions

<sup>1</sup> *The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Part B – Fee(s) Transmittal Form (along with any balance due at the time of submission). Petitioner is advised that the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment of the application.*